

REMARKS

Claims 5-7 and 19-26 are pending in the present application. Claims 6 and 20 are canceled, and claims 5, 7, 19 and 21-25 are amended by this Response and Amendment. No new matter is added by this Response and Amendment. Entry of these amendments is hereby requested.

Note to the Examiner:

In the last response to the Office Action filed on November 20, 2003, each occurrence of "thiophene" in the claim set was inadvertently changed to "thiopene." These changes were not indicated as amendments. Corrections have been made in this Response and Amendment, and the corrections have not been indicated as amendments, thereby placing the spelling in the claim set as it was originally prior to the last Response and Amendment.

With Respect to the Rejections under 35 U.S.C. §112, First Paragraph, Paragraph 7 of the Office Action:

Claims 5-7 and 19-26 stand rejected under 35 U.S.C. §112, first paragraph, for the reasons indicated on pages 3-5 of the Office Action. In response, claims 5 and 19 have been amended to incorporate the limitations of claims 6 and 20, respectively, and claims 6 and 20 have been canceled. Claims 7 and 21 have been amended to depend upon newly amended claims 5 and 19, respectively. Therefore, withdrawal of the rejections is hereby requested.

With Respect to the Rejections under 35 U.S.C. §112, Second Paragraph, Paragraph 9 of the Office Action:

Claims 5-7 and 19-26 stand rejected under 35 U.S.C. §112, second paragraph, for the reasons indicated on page 5 of the Office Action. In response, claims 5 and 19 have been amended to incorporate the limitation that the thiophene oligomers have an outer thiophene ring and that the functional group NCS is attached in the α position to the outer thiophene ring. These limitations are supported in the application in Examples 1 and 2, among other places. Therefore, withdrawal of the rejections is hereby requested.

With Respect to the Rejections under 35 U.S.C. §102(b), Paragraph 11 of the Office Action:

Claims 5 and 19 stand rejected under 35 U.S.C. §102(b) for the reasons indicated in paragraph 11 of the Office Action. For reasons not having to do with this rejection, claims 5 and 19 have been amended to incorporate the limitations of claims 6 and 20, respectively, and claims 6 and 20 have been canceled. As claims 6 and 20 were not rejected under 35 U.S.C. §102(b), these amended are believed to render the rejection under 35 U.S.C. §102(b) moot and withdrawal of the rejections is hereby requested.

With Respect to the Rejections under 35 U.S.C. §102(e), Paragraph 12 of the Office Action:

Claims 5-6, 19-20 and 23-23 stand rejected under 35 U.S.C. §102(e) as anticipated by United States Patent 6,136,984 to Dørwald for the reasons indicated in paragraph 12 of the Office Action. For reasons not having to do with this rejection, claims 5 and 19 have been amended as discussed above. These amendments are believed to obviate these rejections as the cited passages do not appear to disclose the subject matter of claims 5 and 19 as presently amended. Further, the Applicant notes that, while the '984 Patent does disclose several differently substituted thiophene compounds, the '984 Patent does not appear to disclose compounds comprising an isothiocyanate group (NCS) that is functional, within the meaning of the present application. Therefore, withdrawal of the rejections is hereby requested.

CONCLUSION

For the reasons stated above, the Applicant respectfully believes that all pending claims, claims 5-7 and 19-26, are believed to be in condition for allowance and a Notice of Allowance is earnestly solicited. If, however, there remain any issues that can be resolved by telephone with the Applicants representative, the Examiner is encouraged to contact the undersigned directly.

The Commissioner is hereby authorized to charge payment of any fees, including the fee for the one month extension of time to respond, associated with this communication, if such fees are due, to Deposit Account No. 19-2090.

Respectfully submitted,

SHELDON & MAK PC

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By David Farah
David A. Farah, M.D.
Reg. No. 38,134

Please Direct all Communications to:

David A. Farah, M.D.
SHELDON & MAK PC
A Professional Corporation
225 South Lake Avenue, Suite 900
Pasadena, California 91101
Tel.: (626) 796-4000
Fax: (626) 795-6321

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